

REMARKS

I. INTRODUCTION

Claims 1, 18, 19, 29, 38 and 44 have been amended. Claims 16 and 17 have been canceled. The limitations incorporated into claims 1, 19, 29, 38 and 44 by the present amendment were previously recited in canceled claims 16 and 17 and are described in paragraph [0054] of the Specification; therefore, it is respectfully submitted that no new matter has been added. Claims 1-12, 15 and 18-45 are now pending in the present application. In view of the above amendments and the following remarks, it is respectfully submitted that all of the pending claims are allowable.

II. CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 1-12, 15 and 18-45 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Pub. App. No. 2002/0035493 to Mozayeny et al. (hereinafter “Mozayeny”) in view of U.S. Pub. App. No. 2001/0047264 to Roundtree (hereinafter “Roundtree”) and further in view of U.S. Patent 6,178,443 to Lin (hereinafter “Lin”). (See 3/23/10 Office Action, pp. 4-22.)

Claim 1, as presently amended, recites, in relevant part, “receiving a scheduling update signal from a schedule owner, the scheduling update signal providing an indication of availability for the current schedule stored in the schedule database, the indication of availability including a quantitative capacity.” This limitation was previously recited in canceled claims 16 and 17. Addressing the limitation “the indication of availability including a quantitative capacity,” the Examiner asserts that “Mozayeny further discloses wherein the indication of availability specifies capacity (“cancellations or delays of scheduled appointments or reservations may be automatically communicated”, [0037]).” (3/23/10 Office Action, p. 10, citing Mozayeny, ¶ [0066]¹.)

The Applicants respectfully submit that the Examiner’s assertion is erroneous. Even if it were to be conceded that Mozayeny discloses “the scheduling update signal providing an

¹ The Applicants note that the quoted portion of Mozayeny, for which the Examiner cites to paragraph [0037] of Mozayeny, actually appears in paragraph [0066] of Mozayeny. (See 3/23/10 Office Action, p. 10; Mozayeny, ¶ [0037], [0066].)

indication of availability for the current schedule,” the Examiner’s assertion regarding the limitation “the indication of availability including a quantitative capacity,” as recited in amended claim 1, is incorrect. (See id., ¶ [0066].) The communication of cancellations or delays described by Mozayeny relates to informing the parties to an appointment or reservation that the appointment or reservation has been cancelled or delayed. (See id., ¶¶ [0066]-[0067].) The Applicants respectfully submit that there is no reason for such a communication to include a quantitative capacity, as the party receiving the communication has already made a reservation, and consequently Mozayeny does not disclose or suggest the inclusion of a quantitative capacity. (See id., ¶¶ [0066]-[0073].) Therefore, it is respectfully submitted that Mozayeny does not disclose or suggest “the indication of availability including a quantitative capacity,” as recited in claim 1. The Applicants respectfully submit that Roundtree and Lin fail to cure this deficiency. (See Roundtree, passim; Lin, passim.) Therefore, it is respectfully submitted that Mozayeny, Roundtree and Lin, alone or in combination, neither disclose nor suggest “receiving a scheduling update signal from a schedule owner, the scheduling update signal providing an indication of availability for the current schedule stored in the schedule database, the indication of availability including a quantitative capacity,” as recited in claim 1. Accordingly, this rejection should be withdrawn. Because claims 2-12, 15 and 18 depend from, and, therefore, include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for at least the foregoing reasons.

Claim 19, as presently amended, recites, in relevant part, receiving a scheduling update signal from a schedule owner, the scheduling update signal providing an indication of availability for the current schedule stored in the schedule database, the indication of availability including a quantitative capacity.” The Applicants respectfully submit that Mozayeny, Roundtree and Lin, alone or in combination, neither disclose nor suggest “receiving a scheduling update signal from a schedule owner, the scheduling update signal providing an indication of availability for the current schedule stored in the schedule database, the indication of availability including a quantitative capacity,” as recited in claim 19, for the reasons discussed above with respect to claim 1. Accordingly, this rejection should be withdrawn. Because claims 20-28 depend from, and, therefore, include all of the limitations of claim 19, it is respectfully submitted that these claims are also allowable for at least the foregoing reasons.

Claim 29, as presently amended, recites, in relevant part, “a network-based computer-implemented scheduling application operative to...receive a scheduling update signal from a schedule owner, the scheduling update signal providing an indication of availability for the current schedule stored in the schedule database, the indication of availability including a quantitative capacity.” The Applicants respectfully submit that Mozayeny, Roundtree and Lin, alone or in combination, neither disclose nor suggest “a network-based computer-implemented scheduling application operative to...receive a scheduling update signal from a schedule owner, the scheduling update signal providing an indication of availability for the current schedule stored in the schedule database, the indication of availability including a quantitative capacity,” as recited in claim 29, for the reasons discussed above with respect to claim 1. Accordingly, this rejection should be withdrawn. Because claims 30-37 depend from, and, therefore, include all of the limitations of claim 29, it is respectfully submitted that these claims are also allowable for at least the foregoing reasons.

Claim 38, as presently amended, recites, in relevant part, “a network-based computer-implemented application operative to... receive a scheduling update signal from a schedule owner, the scheduling update signal providing an indication of availability for the current schedule stored in the schedule database, the indication of availability including a quantitative capacity.” The Applicants respectfully submit that Mozayeny, Roundtree and Lin, alone or in combination, neither disclose nor suggest “a network-based computer-implemented application operative to... receive a scheduling update signal from a schedule owner, the scheduling update signal providing an indication of availability for the current schedule stored in the schedule database, the indication of availability including a quantitative capacity,” as recited in claim 38, for the reasons discussed above with respect to claim 1. Accordingly, this rejection should be withdrawn. Because claims 39-43 depend from, and, therefore, include all of the limitations of claim 38, it is respectfully submitted that these claims are also allowable for at least the foregoing reasons.

Claim 44, as presently amended, recites, in relevant part, “wherein the schedule database receives scheduling update signals from schedule owners of each of the multiple businesses, the scheduling update signals including a quantitative capacity, and wherein the schedule database updates each of the current schedules according to the scheduling update signals.” The Applicants respectfully submit that Mozayeny, Roundtree and Lin, alone or in combination,

neither disclose nor suggest “wherein the schedule database receives scheduling update signals from schedule owners of each of the multiple businesses, the scheduling update signals including a quantitative capacity, and wherein the schedule database updates each of the current schedules according to the scheduling update signals,” as recited in claim 44, for the reasons discussed above with respect to claim 1. Accordingly, this rejection should be withdrawn. Because claim 45 depends from, and, therefore, include all of the limitations of claim 44, it is respectfully submitted that this claim is also allowable for at least the foregoing reasons.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the currently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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